

UNITED STATES BANKRUPTCY COURT
SOUTHERN DISTRICT OF NEW YORK

In re:) Chapter 11
)
MONTEZUMA MEXICAN RESTAURANT INC.,) Bankr. Case No.: 15-10365 (MG)
)
Debtor.)
)

DECLARATION OF MAGDALENA DOMINGUEZ

STATE OF NEW YORK)
) ss.:
COUNTY OF NEW YORK)

MAGDALENA DOMINGUEZ declares as follows:

1. I am the president of Montezuma Mexican Restaurant Inc. (the “Debtor”) and am responsible for managing its operations. I am familiar with the day-to-day operations, business, and financial affairs of the Debtor, and I submit this declaration on behalf of the Debtor and in support of its Motion for an Order, Pursuant to Bankruptcy Code Section 365, Bankruptcy Rule 6006, and Local Bankruptcy Rule 6006-1, Authorizing and Directing the Assumption of Its Unexpired Lease of Nonresidential Real Property.

2. The facts stated herein are within my personal knowledge.

3. The Debtor, a New York corporation, operates a high-quality Mexican restaurant located at 119 West Kingsbridge Rd., Bronx, NY 10468. It pays \$10,607.84 in monthly rent under a lease (the “Lease”) with 2690 Webb Ave. LLC (the “Landlord”) that expires on June 1, 2025.

4. The Debtor is current on its post-petition rent obligations (and its other post-petition obligations).

5. The Landlord is holding a \$19,600 security deposit, representing approximately two months' rent under the Lease.

6. In its business judgment, the Debtor has resolved to assume the Lease, which it believes is in its best interests and the best interests of its estate.

7. The Lease is necessary to the Debtor's ongoing operations-- it simply is not able to operate without the Lease, which is its primary asset.

8. The Lease is also crucial to the Debtor's reorganization efforts. If the Lease were rejected, the Debtor's reorganization efforts and, indeed, its business as a whole, would grind to a halt.

9. Because the Debtor is not in default under the Lease and there is no cure payment, the assumption of the Lease comes at no immediate cost to the Debtor or its estate.

10. The Debtor's projections indicate that it will have the funds available to continue to pay the Landlord.

DATED: June 1, 2015

s/ Magdalena Dominguez
Magdalena Dominguez